6226993/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Forest Department – Departmental Proceedings initiated against Sri P. Viswanadham, Superintendent (Retd.), formerly Superintendent, O/o the Divisional Forest Officer, Eluru Division, Rajahmundry Circle under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Punishment of "withholding of ten percent (10%) of pension for a period of three (3) years" against the Charged Officer – Imposed - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.51 **Dated:08.08.2022**

Read the following:

1)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur, Letter.Ref.No.16514/2016/A&DC-3, dated 08.06.2021.
2)Memo.No.355/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 24.11.2021.
3)From Sri P. Viswanadham, Superintendent (Retd.), further defense statement, dated 08.12.2021.
4)Letter.No.355/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 07.01.2022.
5)From the Secretary, APPSC, Lr.No.75/DC&C/2022, dated 31.03.2022.
6)Memo.No.355/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 26.07.2022.
7)From Sri P. Viswanadham, Superintendent (Retd.), further defense statement, dated 27.07.2022.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that the following Article of Charge was issued to Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the Divisional Forest Officer, Eluru Division, Rajahmundry Circle by the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur in Ref.No.16514/2016/Vig-1, dated 25.05.2017, under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991:-

Article:"That Sri P. Viswanadham, Superintendent has exhibited gross negligence in discharging his legitimate duties by improper supervision of files and connected records of sale eucalyptus plantations held during 2015–16 and failure in monitoring of accounts relating to tracking details of deposits of revenue realized from sale of harvesting of eucalyptus plantation in VSS areas of Eluru Division, as a result, irregularities noticed in sale process of Eucalyptus harvesting material in VSS areas lifted by contractor without making payment of value of the material and applicable taxes of Rs. 1,07,12,701 (Full sale amount Rs. 68, 52,881/- + VAT- Rs. 10,37,215/- + IT Rs.5,44,538/- + Pl Rs. 22,78,067) by them."

[P.T.O]

2. The Charged Officer acknowledged the receipt of Article of Charge on 19.06.2017 and submitted his written defence statement on 21.06.2017. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur appointed the Chief Conservator of Forests, Rajahmundry Circle as Common Inquiry Officer and the Divisional Forest Officer, Kakinada (T) Division as Common Presenting Officer in Ref.No.16514/2016/Vig-1 (i&ii), dated 01.03.2018, for conducting the regular enquiry.

3. The Inquiry Officer & the Chief Conservator of Forests, Rajahmundry Circle has completed the inquiry and submitted his findings along-with connected case records in Rc.No.5207/2016/M8, dated 20.08.2018 wherein, the Inquiry Officer has concluded that "Sheer negligence is proved".

4. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has communicated the findings of the Inquiry Officer to the Charged Officer in Ref.No.16514/2016/A&DC–3(i), dated 06.02.2019, for submission of further defense. The Charged Officer acknowledged the receipt of the Final Notice on 20.02.2019 and submitted his further defence statement on 01.03.2019.

5. The Charged Officer has retired from Government Service on attaining the age of superannuation on 30.06.2017. Hence, the disciplinary proceedings are continued under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

6. After careful examination of the matter, Government have taken a provisional decision to impose a punishment of "Withholding of five percent (5%) of pension for three (3) years" against Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the DFO, Eluru Division, Rajahmundry Circle, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

7. Accordingly, in Memo., 2nd read above, a Show-cause Notice was issued to the Charged Officer through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur. In the reference 3rd read above, the Charged Officer has submitted his further defense statement, wherein he has agreed to the proposed punishment and requested to release pensionary benefits, arrears, Commutation and other pensionary benefits.

8. After careful examination of the entire issue, Government have decided to confirm the provisional decision to impose a punishment of "Withholding of five percent (5%) of pension for three (3) years" against Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the DFO, Eluru Division, Rajahmundry Circle, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

9. On communication, the Secretary, A.P. Public Service Commission in the letter 5th read above has informed that, the Commission opined that the punishment imposed appears to be very light and proposed to enhance to at least 10% for three (3) years, so that a deterrence is created in the Department.

[Contd...]

6226993/2022/SEC-IV-EFS01

10. After careful examination of the matter, Government have decided to accept the advice of A.P. Public Service Commission for enhancing the punishment to "Withholding of ten percent (10%) of pension for three (3) years" against Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the Divisional Forest Officer, Eluru Division, Rajahmundry Circle, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

11. Accordingly, in Memo., 6th read above, a Show-cause Notice was issued to the Charged Officer on the proposed punishment. In the reference 7th read above, the Charged Officer has submitted his further defense statement, wherein he has agreed to the proposed punishment and requested to release pensionary benefits, arrears, Commutation and other pensionary benefits.

12. After careful examination of the entire matter, Government hereby order to impose a punishment of "Withholding of ten percent (10%) of pension for three (3) years" against Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the Divisional Forest Officer, Eluru Division, Rajahmundry Circle, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

13. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P. Viswanadham, Superintendent (Retd.), earlier Superintendent, O/o the Divisional Forest Officer, Eluru Division, Rajahmundry Circle through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.
The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to M (Energy, EFS&T, Mines & Geology).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The PS to the Special Chief Secretary to Government, EFS&T Department.
SF/SC (Computer No.1108855).

//FORWARDED :: BY ORDER//

SECTION OFFICER